

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
JOHN BRIAN CLARK, JBC Structured  
Products LLC, and MARATHON  
CAPITAL LLC,

Plaintiffs,

-against-

BRC INC., a Delaware corporation,  
BLACK RIFLE COFFEE COMPANY,  
LLC, a Delaware limited company,

Defendants.

ANALISA TORRES, District Judge:

USDC SDNY  
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ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 6/27/2023

23 Civ. 5340 (AT)

**INITIAL PRETRIAL  
SCHEDULING ORDER**

1. Counsel for all parties are directed to submit a joint letter and a jointly proposed Case Management Plan and Scheduling Order by **August 21, 2023**, in accordance with Rule 16 of the Federal Rules of Civil Procedure and the instructions set forth below.

2. **COUNSEL FOR PLAINTIFFS IS DIRECTED TO IMMEDIATELY SEND A COPY OF THIS ORDER AND THE COURT'S INDIVIDUAL PRACTICES TO ALL PARTIES.**

3. This case has been designated for electronic case filing. By the deadline for submissions, counsel for all parties are required to register as ECF filers and file a notice of appearance in accordance with the Electronic Case Filing Rules & Instructions (<https://nysd.uscourts.gov/electronic-case-filing>).

4. The parties are directed to submit a joint letter addressing the following in separate paragraphs: (1) a brief description of the case, including the factual and legal bases for the claim(s) and defense(s), (2) any contemplated motions, and (3) the prospect for settlement.

5. The parties are directed to submit with their joint letter a jointly proposed Case Management Plan and Scheduling Order. The parties are directed to consult the Court's Individual Practices and model Case Management Plan and Scheduling Order, which are available at <https://nysd.uscourts.gov/hon-analisa-torres>. Both the joint letter and the proposed Case Management Plan and Scheduling Order shall be filed electronically on ECF, with a courtesy copy of each, clearly marked as such, emailed to chambers ([Torres\\_nysdchambers@nysd.uscourts.gov](mailto:Torres_nysdchambers@nysd.uscourts.gov)) in accordance with the Court's Individual Practices (See Rule I.B.).

6. Requests for adjournment of the deadline for the above submissions will be considered only if made in writing and in accordance with the Court's Individual Practices (See Rule I.C.).

7. The parties are advised that the Court requires pre-motion letters before a motion is filed (*See Rules III.A–C*).

8. If this case has been settled or otherwise terminated, counsel are required to file a stipulation of discontinuance, voluntary dismissal, or other proof of termination electronically on ECF, with a courtesy copy emailed to chambers in accordance with the Court's Individual Practices.

SO ORDERED.

Dated: June 27, 2023  
New York, New York



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ANALISA TORRES  
United States District Judge